

Message Text

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PAGE 01 STATE 174299
ORIGIN SCS-06

INFO OCT-01 EA-12 ISO-00 PPTE-00 CA-01 L-03 /023 R

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PPT/FM - M. WHITE (SUBSTANCE -
PHONE)

-----091110 111854Z /45

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FM SECSTATE WASHDC
TO AMEMBASSY MANILA

UNCLAS STATE 174299

E.O. 11652: N/A

TAGS: CGEN:CPAS: (FLORES, JOCELYN)

SUBJECT: NOTARIALS: NOTARIZATION OF POWER OF ATTORNEY
FOR USE IN CONNECTION WITH PASSPORT APPLICATION

1. DEPT WAS TELEPHONED BY AN ATTORNEY, ROBERT MCDONALD,
7/10 WHOSE CLIENT, DR. JESUS H. FLORES, HAS A DAUGHTER,
JOCELYN MARIE FLORES, WHO IS RESIDING WITH HIS PARENTS
IN THE PHILIPPINES. (DR. FLORES' FATHER'S NAME IS
MELECIO D. FLORES.)

2. AS ATTORNEY MCDONALD UNDERSTANDS FACTS OF CASE, JOCELYN,
WHO IS A MINOR AND U.S. CITIZEN HAS AN EXPIRED U.S.
PASSPORT. JOCELYN'S GRANDPARENTS APPLIED FOR A PASSPORT
ON BEHALF OF THEIR GRANDDAUGHTER AND WERE ADVISED THAT
THEY NEEDED A STATEMENT FROM THE PARENTS IN THE U.S. THAT
THEY WERE ACTING IN LOCO PARENTIS. ATTORNEY MCDONALD THEN
DRAFTED AN INSTRUMENT IN THE NATURE OF A POWER OF ATTORNEY
AND CAUSED THAT INSTRUMENT TO BE ACKNOWLEDGED, ATTORNEY
MCDONALD ACTING AS NOTARY PUBLIC. DR. FLORES STATES THAT
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EMBASSY WILL NOT ACCEPT INSTRUMENT BECAUSE IT IS AN IM-
PROPER NOTARIZATION, I.E. IT LACKS SEAL AND/OR LACKS DATE
UPON WHICH NOTARY'S COMMISSION EXPIRES.

3. IT IS DEPT'S UNDERSTANDING FROM SPEAKING WITH
ATTORNEY GENERAL'S OFFICE THAT UNDER MASSACHUSETTS LAW
IT IS NOT NECESSARY FOR A DOCUMENT TO BE AFFIXED WITH AN

OFFICIAL SEAL AND IT IS NOT NECESSARY TO HAVE NOTARIES
COMMISSION EXPIRING DATE INDICATED ON INSTRUMENT. SEE
ALSO MARTINDALE HUBBELL.

4. PLEASE ADVISE CIRCUMSTANCES OF CASE. IF ONLY REASON
FOR DISAPPROVAL OF APPLICATION IS LACK OF OFFICIAL SEAL
AND/OR NOTARIES COMMISSION EXPIRY DATE, DEPT AUTHORIZES
EMBASSY TO ISSUE FULL VALIDITY DOCUMENTATION TO MINOR
APPLICANT. IF OTHER REASONS EXIST FOR NOT ISSUING FULL
VALIDITY DOCUMENTATION, PLEASE SO ADVISE AND IN WHICH
CASE DOCUMENTATION NOT AUTHORIZED. CHRISTOPHER

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NNN

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